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Listing of Claims:

1. (Original) A system for detection of a watermark in digital content, comprising:
a recording device having a first watermark detection component of a first sensitivity for detecting the watermark in digital content; and
a playback device having a second watermark detection component of a second sensitivity for detecting the watermark in a digital content recording made by the recording device;
wherein the first sensitivity is more sensitive than the second sensitivity.
2. (Original) The system of claim 1, wherein the digital content is unencrypted.
3. (Original) The system of claim 1, wherein the first sensitivity causes the first watermark detection component to check multiple channels of the digital content for the watermark when the digital content comprises multi-channel audio data.
4. (Original) The system of claim 1, wherein first sensitivity causes the first watermark detection component to check the digital content for the watermark more often than the second watermark detection component.
5. (Original) The system of claim 1, wherein the first sensitivity for the first watermark detection component causes the recording device to check the digital content for the watermark with a computational precision less than a computational precision of the second watermark detection component.
6. (Original) A recording device for recording digital content for playback by a playback device comprising:
a watermark detection component for detecting a watermark in the digital content, the watermark detection component being more sensitive for detecting the watermark than a watermark detection component in the playback device.

7. (Original) The recording device of claim 6, wherein the watermark detection component of the recording device checks multiple channels of the digital content for the watermark when the digital content comprises multi-channel audio data.
8. (Original) The recording device of claim 6, wherein the watermark detection component of the recording device checks the digital content for the watermark more often than the watermark detection component in the playback device.
9. (Original) The recording device of claim 6, wherein the watermark detection component of the recording device checks the digital content for the watermark with a computational precision less than a computational precision of the watermark detection component of the playback device.
10. (Original) A playback device for processing digital content recorded by a recording device comprising:
 - a watermark detection component for detecting a watermark in the digital content, the watermark detection component being less sensitive for detecting the watermark than a watermark detection component in the recording device.
11. (Original) The playback device of claim 10, wherein the watermark detection component of the playback device checks the digital content for the watermark less often than the watermark detection component in the recording device.
12. (Original) The playback device of claim 10, wherein the watermark detection component of the playback device checks the digital content for the watermark with a computational precision more than a computational precision of the watermark detection component of the recording device.
13. (Currently amended) A method for processing unencrypted digital content in a recording device for subsequent playback by a playback device comprising:

~~attempting to detect performing, by a watermark detection component of the recording device, a detection operation for detecting a watermark in the unencrypted digital content by a watermark detection component of the recording device, the detection operation~~ being more sensitive for detecting the watermark than a detection operation of a watermark detection component of the playback device;

making an unencrypted recording of the unencrypted digital content when the watermark is not detected in the unencrypted digital content; and

making an encrypted recording of the unencrypted digital content when the watermark is detected in the unencrypted digital content.

14. (Original) The method of claim 13, wherein attempting to detect the watermark comprises checking multiple channels of the unencrypted digital content for the watermark when the unencrypted digital content comprises multi-channel audio data.

15. (Original) The method of claim 13, wherein attempting to detect the watermark comprises checking the unencrypted digital content for the watermark more often than the watermark detection component in the playback device.

16. (Original) The method of claim 13, wherein attempting to detect the watermark comprises checking the unencrypted digital content for the watermark with a computational precision less than a computational precision of the watermark detection component of the playback device.

17. (Currently amended) A method of processing, in a playback device, a digital content recording made by a recording device comprising:

recognizing whether the digital content recording is encrypted or unencrypted;

~~attempting~~ performing, by a watermark detection component of the playback device, ~~to detect a detection operation for detecting~~ a watermark in the digital content recording when the digital content recording is unencrypted, the detection operation being less sensitive for detecting the watermark than a detection operation of a watermark detection component of the recording device;

playing the digital content recording when the watermark is not detected; and
not playing the digital content recording when the watermark is detected.

18. (Original) The method of claim 17, wherein attempting to detect the watermark comprises checking the digital content recording for the watermark less often than the watermark detection component in the recording device.

19. (Original) The method of claim 17, wherein attempting to detect the watermark comprises checking the digital content recording for the watermark with a computational precision more than a computational precision of the watermark detection component of the recording device.

20. (Currently amended) An article of manufacture comprising:

a computer readable storage medium having a plurality of machine readable instructions, wherein when the instructions are executed by a processor, the instructions provide for processing unencrypted digital content in a recording device for subsequent playback by a playback device by

~~attempting to detect performing, by a watermark detection component of the recording device, a detection operation for detecting~~ a watermark in the unencrypted digital content ~~by a watermark detection component of the recording device, the detection operation~~ being more sensitive for detecting the watermark than a detection operation of a watermark detection component of the playback device;

making an unencrypted recording of the unencrypted digital content when the watermark is not detected in the unencrypted digital content; and

making an encrypted recording of the unencrypted digital content when the watermark is detected in the unencrypted digital content.

21. (Original) The article of claim 20, wherein instructions for attempting to detect the watermark comprise instructions for checking multiple channels of the unencrypted digital content for the watermark when the unencrypted digital content comprises multi-channel audio data.

22. (Original) The article of claim 20, wherein instructions for attempting to detect the watermark comprise instructions for checking the unencrypted digital content for the watermark more often than the watermark detection component in the playback device.

23. (Original) The article of claim 20, wherein instructions for attempting to detect the watermark comprise instructions for checking the unencrypted digital content for the watermark with a computational precision less than a computational precision of the watermark detection component of the playback device.

24. (Currently amended) An article of manufacture comprising:

a computer readable storage medium having a plurality of machine readable instructions, wherein when the instructions are executed by a processor, the instructions provide for processing, in a playback device, a digital content recording made by a recording device by

recognizing whether the digital content recording is encrypted or unencrypted;

attempting performing, by a watermark detection component of the playback device, ~~to detect~~ a detection operation for detecting a watermark in the digital content recording when the digital content recording is unencrypted, the detection operation being less sensitive for detecting the watermark than a detection operation of a watermark detection component of the recording device;

playing the digital content recording when the watermark is not detected; and

not playing the digital content recording when the watermark is detected.

25. (Original) The article of claim 24, wherein instructions for attempting to detect the watermark comprise instructions for checking the digital content recording for the watermark less often than the watermark detection component in the recording device.

26. (Original) The article of claim 24, wherein instructions for attempting to detect the watermark comprise instructions for checking the digital content recording for the watermark with a computational precision more than a computational precision of the watermark detection component of the recording device.

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Drawing Amendments:

As requested by the Office Action, the legend "Prior Art" has been added to the attached Replacement Sheet for Figure 1. An Annotated Sheet indicating the change is also attached.

Docket No.: 42P16794
Application No.: 10/655,710

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Utility Patent Application